

Remarks/Arguments

Reconsideration of this application is requested. This amendment merely amends claims indicated as allowable into allowable form and cancels the remaining claims, and is therefore proper under 37 CFR 1.116.

Claim Status

Claims 1-6, 8-13, 15 and 17-19 were presented. Claims 1, 4 and 9 are amended, and claims 8, 12, 13, 15 and 17-19 are canceled, without prejudice. Claims 1-6 and 9-11 are now pending.

Claim Rejections – 35 USC 112

Claims 1-3 are rejected under 35 USC 112, second paragraph, as indefinite. In particular, the Action asserts that there is no antecedent basis for “said bandpass filter” in line 12 of claim 1. In response, line 12 of claim 1 is amended to recite “said infrared bandpass filter”.

Allowable Subject Matter

Claims 1-3 are indicated as allowable if rewritten to overcome the 35 USC 112 rejection. As noted above, claim 1 is amended to overcome the 35 USC 112 rejection. Accordingly, claims 1-3 are now in condition for allowance.

Claims 8-11 are indicated as allowable if rewritten in independent form. Claim 8 depends directly from base claim 4. Accordingly, claim 4 is rewritten to include all limitations of claim 8, and claim 8 is canceled without prejudice. Claim 9 is amended to depend from claim 4, rather than from canceled claim 8. Claims 10 and 11 depend from claim 9. Claims 5 and 6 also depend from claim 4. Accordingly, claims 4-6 and 9-11 are now in condition for allowance.

Claim Rejections – 35 USC 103

Claims 4, 6, 12, 13, 15, 17 and 19 are rejected under 35 USC 103(a) as obvious over Du (US 6,107,938) in view of Barfod (US 5,539,393). Claims 5 and 18 are rejected as obvious over Du in view of Barfod and McGuire (US 6,114,684). In response, claims 12, 13, 15 and 17-19 are canceled, without prejudice. With respect

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to claims 4-6, as discussed above, claim 4 is amended into allowable form, and claims 5 and 6 depend from claim 4, rendering their grounds for rejection moot.

Conclusion

This application is now believed to be in condition for allowance. The Examiner is invited to telephone the undersigned to resolve any issues that remain after entry of this amendment. Any fees due with this response may be charged to our Deposit Account No. 50-1314.

Respectfully submitted,
HOGAN & HARTSON L.L.P.

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By: _____

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